



Response Under 37 C.F.R. § 1.116
Expedited Procedure
Examining Group 1614

PATENT
Attorney Docket No. 061537-0036

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: ARMEDARIZ BORUNDA *et al.*

Application No.: 10/724,292

Confirmation No.: 4513

Filed: December 1, 2003

Group Art Unit: 1632

For: **RECOMBINANT ADENOVIRAL
VECTORS AND THEIR UTILIZATION
IN THE TREATMENT OF VARIOUS
TYPES OF HEPATIC, RENAL AND
PULMONARY FIBROSIS AND
HYPERTROPHIC SCARS**

Examiner: Shin Lin Chen

U.S. Patent and Trademark Office
Customer Window, Mail Stop AF
Randolph Building
Alexandria, VA 22314

Sir:

**NOTICE OF APPEAL TO THE BOARD OF
PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner's **FINAL** rejection dated April 7, 2006.

1. Extension of Time

☐ A check including the cost of \$_____ to cover the extension of time fee is enclosed.

☒ The Commissioner is authorized to charge necessary fees for such extension of time to Deposit Account No. 50-0310.

2. Notice of Appeal Fee - 37 C.F.R. § 1.17(b)

☒ The Appeal fee of **\$250.00** (small entity) is to be charged to Deposit Account No. 50-0310.

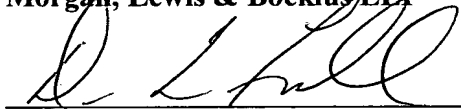
☒ The Commissioner is authorized to charge **\$250.00** for the Notice of Appeal Fee to Deposit Account No. 50-0310.

3. Constructive Petition

- ☒ **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and § 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: October 6, 2006
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Respectfully submitted,
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